

STATE OF CALIFORNIA
California Energy Commission

Minutes of the June 30, 2011, Energy Commission Business Meeting.

The meeting was called to order by Chair Robert B. Weisenmiller. The Pledge of Allegiance was lead by Chair Weisenmiller.

Present:

Robert B. Weisenmiller, Chair
James D. Boyd, Vice Chair

Karen Douglas, Commissioner
Carla J. Peterman, Commissioner

1. CARLSBAD ENERGY CENTER (07-AFC-6). Possible adoption of the Presiding Member's Proposed Decision on the Carlsbad Energy Center and Errata. The proposed facility is a combined cycle electrical power plant with a generating capacity of 540-megawatt (MW) located in the city of Carlsbad, San Diego County. (Continued from June 15, 2011.) Contact: Paul Kramer.

On June 29, 2011, the **Center for Biological Diversity** filed a New Motion for Evidentiary Hearing regarding greenhouse gas issues, cumulative impacts and alternatives analysis including all issues related to SDG&E's application for approval of Power Purchase Agreements with 3 power plant projects. We **GRANT** the motion with respect to evaluation of the impact of the three new projects on our cumulative impacts and alternatives analysis. In addition, we **REMAND** the matter to the Carlsbad AFC Committee to take evidence and revise the PMPD on those issues and in addition 1) issues associated with Conditions Land-2 and Land-3 and their environmental impacts, and 2) the grid reliability issues raised by the comments from CAISO during the June 30, 2011, Business Meeting.

Commissioner Douglas moved and Vice Chair Boyd seconded the motion. The vote was unanimous. (4-0)

The **Center for Biological Diversity** filed a Petition for Reconsideration of the Commission's denial of its June 8, 2011 Motion to Take Official Notice and Re-Open the Evidentiary Record. The Petition is **MOOT** to the extent that the proposed additional evidence can be offered at the Evidentiary Hearing described above. As to matters not relevant to those issues, if there are any, the Petition is **DENIED**.

Vice Chair Boyd moved and Commissioner Peterman seconded the motion. The vote was unanimous. (4-0)

The **Center for Biological Diversity** filed a Motion for Clarification and additional time under Section 1753 of the Commission's regulations. That motion is **MOOT** as a newly revised PMPD will be issued after the conclusion of the new evidentiary hearings described above for at least a 15-day comment period.

Commissioner Peterman moved and Commissioner Douglas seconded the motion. The vote was unanimous. (4-0)

On June 30, 2011, **Robert Simpson** filed a Motion for Preemptive Rescission of Certification and Objections to Modification of Verification Provisions by CEC Staff. Both are **DENIED** as premature as no Certification has been approved thus far, nor are there any conditions in effect today whose verifications could be modified.

Vice Chair Boyd moved and Commissioner Douglas seconded the motion. The vote was unanimous. (4-0)

On June 28, 2011, the Applicant, **Carlsbad Energy Center, LLC**. Filed a letter requesting that pages 1 -14 of the City of Carlsbad's June 27, 2011, Comments be disregarded. This request is **DENIED** as the Commission generally considers comments from all sources in this proceeding.

Commissioner Douglas moved and Vice Chair Boyd seconded the motion. The vote was unanimous. (4-0)

2. **Chief Counsel's Report:** None.

Appearances:

Ms Missy Foster, Stoel Rives, LLP
Mr. William Rostov, Center for Biological Diversity
Mr. Matt Hall, Mayor of Carlsbad
April Summer, Attorney for Rob Simpson
Mr. Peters, OGA, California ISO
Mr. Ronald Ball, Attorney
Ms Catherine Miller, Terramar Association
Mr. Bob Sarvey via telephone

There being no further business, the meeting was adjourned.

Respectfully submitted,

LANA MCALLISTER
Acting Secretary to the Commission